

Vacation

Declaratory  
Improvement Res. No. 934-1956

Which provides for the vacation  
of the first alley north of Goshen  
Avenue from the west property  
line of Ethel Avenue to the east  
property line of Lillie Street.

Resolution Adopted:

March 29, 1956

Confirmed:

April 26, 1956

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Comfirmed:

June 7, 1956

For the Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ of the first alley north of Goshen Avenue from the west property line of Ethel Avenue to the east property line of Lillie Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley north of Goshen Avenue from the west property line of Ethel Avenue to the east property line of Lillie Street.

All as shown by a plan of such proposed ~~Opening - Vacation - Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening - Condemnation of right of way for utility purposes~~ is described as follows: Lots 1 to 6 inclusive, Rousseau's North Side Heights Addition. Said addition inclusive to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

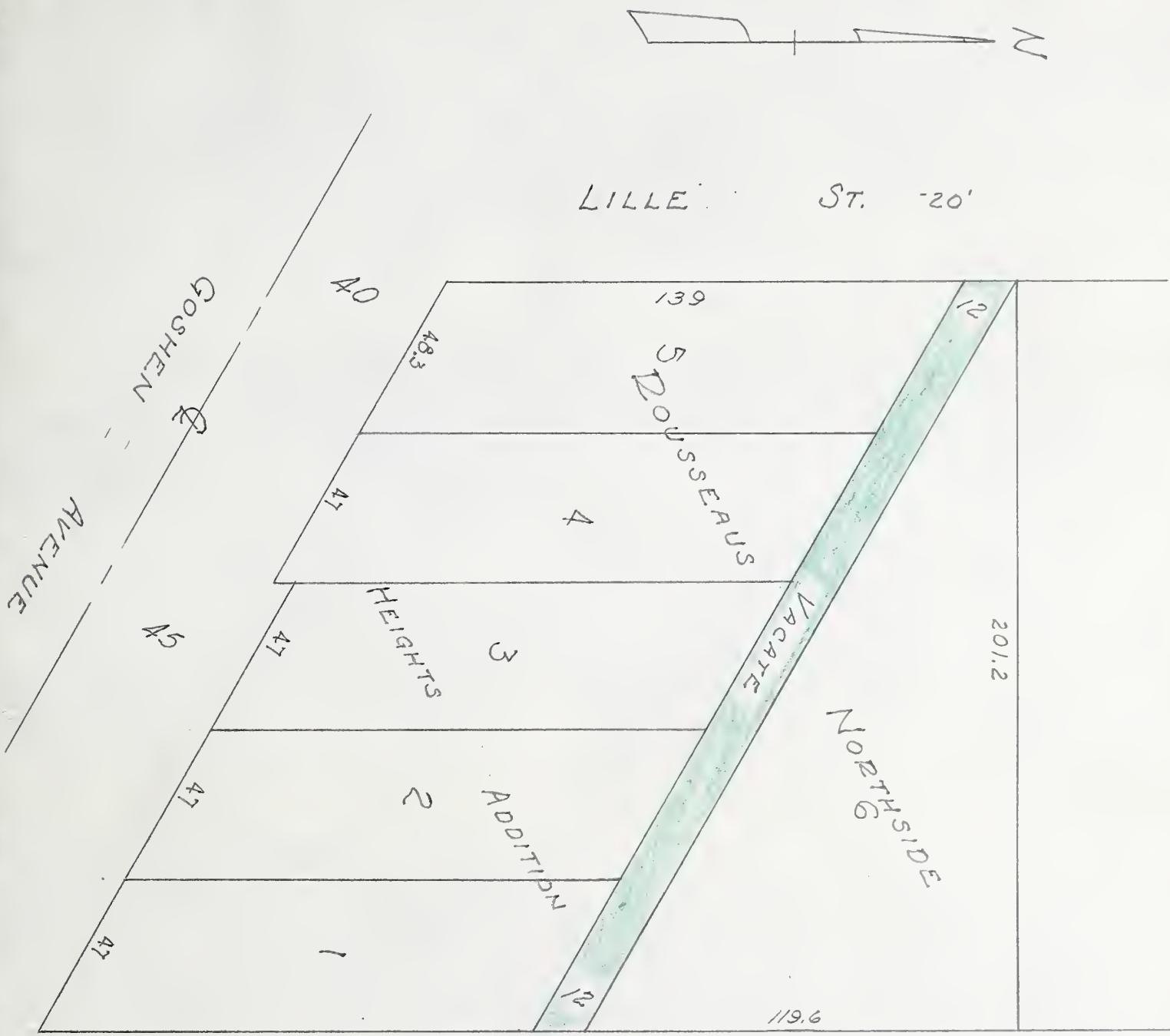
The vacation of the above described ~~Street and alleys~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section Thirty-four, Township 31 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 29th., DAY OF March, 1956.

Attest: *J. B. Miller*  
Secretary Board of Public Works.

*John G. Smith*  
Board of Public Works.



ETHEL AVE. -50'

1" = 40'. 02

DEC. RES. 934 - 1956

*Rea. - Feb. 16 -*

City of Fort Wayne  
Indiana



*Rea. - Feb. 16 -*

OFFICE OF  
BOARD OF PUBLIC WORKS

FORT WAYNE, INDIANA

February 14, 1956

Mr. R. Y. Adams  
Planning Director  
Fort Wayne, Indiana

Dear Sir: Vacation Petition #6

We are referring to you for investigation and report the vacation of an alley in the rear of Goshen Avenue in the City of Fort Wayne, Indiana, from Ethel Avenue west a distance of 236.3' to a roadway 20' wide,--- said alley is 12' wide, running from the west side of Ethel Avenue in a northwest direction a distance of 235.3' which represents the length of the south line of said alley.

Yours truly,

*J. L. Hallett*  
J. L. Hallett, Secretary  
BOARD OF PUBLIC WORKS.

JLH:c  
Enc.

*No specific objections to the vacation of this alley*  
*R. Y. Adams*

# P E T I T I O N

Fort Wayne, Ind.,

February 8, 1956

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on Goshen Avenue in the City of Fort Wayne, Indiana, from Ethel Avenue West a distance of 236.3' to a roadway 20 feet wide

respectfully petition for the passage of a resolution providing for the vacating of an alley in the rear of said premises, which is 12 feet wide, running from the west side of Ethel Avenue in a northwest direction a distance of 235.3 feet, which represents the length of the south line of said alley.

Your petitioners respectfully represent to said Board that the undersigned are the absolute owners in fee simple of the following described real estate: Lots 1, 2, 3, 4, 5 and 6 of Rousseau North Side Heights Addition to the City of Fort Wayne, Allen County, Indiana; that when said real estate was platted in 1915 as shown by the plat of said Addition in Plat Book 7, page 105, of Allen County, Indiana, which plat was recorded on May 3, 1915, there was a provision made in said Plat for said alley, and that since the platting of said Addition, said alley has never been used for any purpose of any nature whatsoever; that the alley aforesaid runs in a northwest and southeast direction through the aforesaid property owned by the undersigned; that the said real estate has been in the family of the undersigned together with their prior ancestors since the date of platting.

That said alley has served no useful purpose whatever and does retard the value of the real estate of the undersigned; that there are no improvements of any nature whatsoever located on said alley, either above ground or underground.

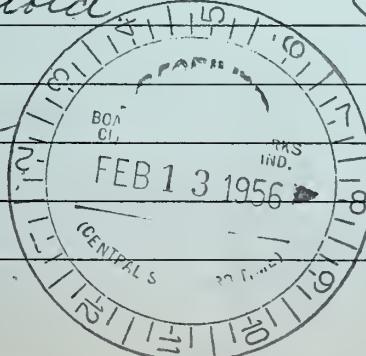
The undersigned and petitioners herein request that your Board vacate said alley for the reason that it serves no value whatever to the City of Fort Wayne or to the public; that it has no utility value of any nature whatsoever, that it has never been used and that it lessens the value of the real estate of the undersigned and that the alley develops a weed patch which is unsightly to the neighborhood and that it would be to the benefit of the immediate surrounding community as well as for the undersigned owners to have said alley vacated.

The undersigned, the owners of the aforesaid real estate, have hereunto set their hand and signatures the day and year above written,

*Ellis L. Gaylord*  
Ellis L. Gaylord

*Phyllis L. Gaylord*  
Phyllis L. Gaylord

*Olive Nieman*  
Olive Nieman



*Harry C. Nieman*  
Harry C. Nieman

VACATION

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**Petition for Passage**

of a Resolution for

the vacating of an alley in the rear of  
Cohen Ave. in the City of Fort Wayne,  
Ind., from Ethel Ave. west a distance  
of 236.3' to a roadway 20' wide. said  
alley is 12' wide, running from the  
west side of Ethel Ave. in a northwest  
direction a distance of 235.3', which  
represents the length of the south line  
of said alley.

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from \_\_\_\_\_

to \_\_\_\_\_

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Filed with the Board of Public Works

Re: R.Y. Adams 2/14/56

Plans Ordered: 3/1/56.

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